

REMARKS

Claims 1-20 are currently pending in the above application.

On page two, paragraph one of the Office Action, restriction to one of the six provided species is required under 35 U.S.C. §121. Applicant respectfully traverses the Examiner's restriction.

In the enclosed Office Action, the Examiner has asked us to elect between six species, but has not given any reasons as to what is distinct about each species. The Manual of Patent Examining Procedure (MPEP) Section 816 requires "The particular reasons relied upon by the examiner for holding that the inventions as claimed are either independent or distinct should be concisely stated". Further, "a mere statement of conclusion is inadequate". In this regard, Applicant respectfully suggests that the Examiner has not stated concise reasons why these inventions as claimed are independent or distinct. Instead, the Examiner has merely concluded that there are six possible species without explanation. Applicant respectfully suggests the removal of the restriction requirement or, in the alternative, proper explanation as to why restriction is required in accordance with MPEP 816.

Further, Applicant respectfully suggests that each of the claims is sufficiently related to one another to oppose restriction. Each independent claim relates to a structure introduced within the hollow tubing of a liquid cooler designed to limit the temperature rise on the outer wall of a hollow tubing by distorting the laminar flow of fluid flowing through a central portion of the tubing. In this regard, independent claims 1 and 8 claim the structure being added to the liquid cooler (with claim 1 claiming the liquid cooler alone and claim 8 claiming a cooling system having the liquid cooler), while independent claim 15 claims a method for improving the cooling capabilities of a liquid cooler by introducing the structure within the hollow tubing of the liquid cooler to distort laminar flow. Dependent claims 2-7, 9-14 and 16-20 all

discuss design variations of this fundamental principle as shown in the various embodiments as shown in Figures 1-10.

Thus, Applicant respectfully submits that the Examiner has improperly required restriction without giving sufficient reasons as required by the MPEP 816. Further, even assuming for the sake of arguments that the requirements of MPEP 816 were fulfilled by the Examiner, which the Applicant does not concede, Applicant respectfully submits that each of the claims are sufficiently related so as to overcome this restriction requirement. Reconsideration of the restriction requirement is respectfully requested.

While Applicant maintains that restriction in this case is improper for reasons described above, Applicant herein provisionally elects prosecution on claims 1-5, 8, 9, 13-17 and 19, each related to the embodiments as shown in Figures 1 through 3.

The Examiner is invited to telephone the Applicant's undersigned attorney at (248) 223-9500 if any unresolved matters remain.

Respectfully submitted,

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